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ELECT.

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:	
March 10, 2003 Date	 Gina N. Shishima

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ralph et al.

Serial No.: 09/660,568

Filed: September 11, 2000

For: DIAGNOSIS OF DISEASE STATE
USING MRNA PROFILES IN
PERIPHERAL LEUKOCYTES

Group Art Unit: 1635

Examiner: McGarry, Sean

Atty. Dkt. No.: UROC:014USD1

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RESPONSE TO RESTRICTION REQUIREMENT DATED FEBRUARY 13, 2003

Commissioner for Patents
Washington, D.C. 20231

Commissioner:

This paper is submitted in response to the Restriction Requirement dated February 13, 2003 for which the date for response is March 13, 2003.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UROC:014USD1.

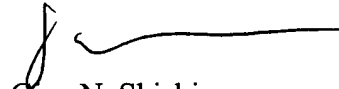
In response to the restriction requirement which the Examiner imposed, Applicants elect, without traverse, to prosecute claims 8-20 and 64, *i.e.*, the Group I claims.

The Action also requested that the Applicants make two species elections. Applicants elect "metastatic cancer" as set forth in claim 13. Claims 8-20 and 64 are readable thereon, which specifically includes claims 14, 15, and 16 for reciting this species. Applicants additionally elect SEQ ID NO:49, as set forth in claims 17 and 20. Claims 8-20 and 64 are readable thereon.

Should a generic claim covering SEQ DI NO:49 or metastatic cancer be found allowable, Applicants believe the nonelected species should also be found allowable.

The Examiner is invited to contact the undersigned attorney at (512) 536-3081 with any questions, comments or suggestions relating to the referenced patent application.

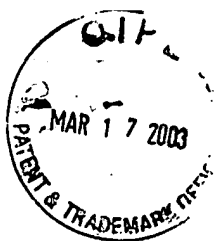
Respectfully submitted,



Gina N. Shishima
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Date: March 10, 2003



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Commissioner for Patents
Washington, DC 20231

Re: SN 09/660,568 entitled "DIAGNOSIS OF DISEASE STATE USING MRNA
PROFILES IN PERIPHERAL LEUKOCYTES" by Ralph et al.
Our ref: UROC:014USD1/10023400

Commissioner:

Enclosed for filing in the above-referenced patent application are:

- (1) Response to Restriction Requirement Dated February 13, 2003; and
- (2) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/UROC:014USD1.

Respectfully submitted,

Gina N. Shishima
Reg. No. 45,104

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Enclosures

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